

JOSEPH P. RUSSONIELLO (CABN 44332)  
United States Attorney

BRIAN J. STRETCH (CSBN 163973)  
Chief, Criminal Division

NICOLE KIM (NYBN 4435806)  
Assistant United States Attorney

450 Golden Gate Ave.  
San Francisco, California 94102  
Telephone: (415) 436-6401  
Fax: (415) 436-6982  
E-Mail: nicole.kim@usdoj.gov

Attorneys for Plaintiff

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,	)	No. CR 3-08-70140 JCS
	)	
Plaintiff,	)	[PROPOSED] ORDER EXCLUDING
	)	TIME FROM SPEEDY TRIAL ACT
v.	)	COMPUTATION
	)	
DAVID E. BURKHOLDER,	)	
	)	
Defendant.	)	

The parties appeared before the Hon. Joseph C. Spero, United States Magistrate Judge, on March 14, 2008 at 9:30 a.m. Defendant David E. Burkholder appeared with attorney Steven Kalar. The United States appeared through Assistant United States Attorney Nicole M. Kim. With the agreement of counsel for both parties, the Court found and held as follows:

1. The parties agree to an exclusion of time under the Speedy Trial Act, 18 U.S.C. § 3161, from March 14, 2008 through and including March 20, 2008. The parties agree to an exclusion pursuant to 18 U.S.C. § 3161 (h)(8)(B)(iv) to allow the defendant continuity of

1 counsel. In addition, the parties are awaiting a disposition in a matter outside the district that  
2 could result in a possible transfer of the case. The exclusion of time is appropriate under 18  
3 U.S.C. § 3161(h)(1)(G).

4 2. Given these circumstances, the Court found that the ends of justice served by  
5 excluding the period from March 14, 2008 through and including March 20, 2008 outweigh the  
6 best interest of the public and the defendant in a speedy trial.

7 3. Accordingly, the Court ORDERED that the period from March 14, 2008 through  
8 and including March 20, 2008 be excluded from Speedy Trial Act calculations under 18 U.S.C.  
9 § 3161.

10 IT IS SO ORDERED.

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13 Dated: March \_\_, 2008

14 HON. JOSEPH C. SPERO  
United States Magistrate Judge  
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